IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1205 OF 2006

in

APPEAL (LODGING) NO. 36 OF 2006

IN

WRIT PETITION NO. 2641 OF 2002

Shantaram Satpute ... Appellant

Versus

BEST Ltd. ... Respondents

Mr. Vinay Bhate i/b. Mr. SandeepMahadik for the appellant.

None for Respondents.

CORAM: D.K.DESHMUKH &

J.H.BHATIA,JJ.

DATE : 23rd July, 2007.

P.C.

1. We have heard learned Counsel appearing for the appellant.

2. Assuming that sufficient cause has been shown for condonation of delay, we do not find any merit in the appeal. The appellant was working as a Conductor in

a State Transport Undertaking. He was found guilty of misappropriation of money though it is true that the amount is small. He was dismissed from service. The Labour Court granted him reinstatement. However, he was not given back wages and continuity of service. That order has been confirmed by the Revisional Court as also by the learned Single Judge. We see no reason to interfere with the concurrent findings recorded by the Courts below.

3. Hence, the Motion and the Appeal are dismissed.

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(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)